

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-80279-CIV-DIMITROULEAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT M. DUBOIS JR. and  
JOAN C. DUBOIS,

Defendants.

/

**ORDER ADOPTING AND APPROVING REPORT AND RECOMMENDATION OF  
MAGISTRATE JUDGE; GRANTING SECOND APPLICATION**

THIS CAUSE is before the Court upon Plaintiff United States' Expedited Application for an Amended Writ of Attachment ("Second Application") [DE 100], the December 20, 2023 Magistrate Judge's Report and Recommendation (the "Report") [DE 107]; the United States' Notice of Non-Objection to Report and Recommendation [DE 108], Defendant Joan C. Dubois ("Ms. Dubois")'s Objection to Report and Recommendation [DE 110]; and the United States' Response to Defendant Joan C. Dubois' Objection to the Report and Recommendation [DE 111]. The Court has carefully considered these filings, the entire docket, and is otherwise fully advised in the premises.

A party seeking to challenge the findings in a report and recommendation of a United States Magistrate Judge must file "written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006)

(quoting *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989)). “It is critical that the objection be sufficiently specific and not a general objection to the report.” *Macort*, 208 F. App’x at 784 (citing *Goney v. Clark*, 749 F.2d 5, 7 (3d Cir. 1984)). If a party makes a timely and specific objection to a finding in the report and recommendation, the district court must conduct a *de novo* review of the portions of the report to which objection is made. *Macort*, 208 F. App’x at 783-84; see also 28 U.S.C. § 636(b)(1). The district court may accept, reject, or modify in whole or in part, the findings or recommendations made by the Magistrate Judge. *Macort*, 208 F. App’x at 784; 28 U.S.C. § 636(b)(1).

Accordingly, the Court has undertaken a *de novo* review of the record and Ms. Dubois’ Objection to Report and Recommendation [DE 110]. Having carefully considered Ms. Dubois’ Objection, the Court overrules the Objection. Ms. DuBois’s Objection merely rehashes arguments submitted to and rejected by the Magistrate Judge. Further, the Objection fails to sufficiently address the governing statutes and their application to the factual findings in this case. The Court agrees with the Magistrate Judge’s reasoning and conclusions. Further, the Objection does not provide any adequate explanation for the contradictory statements Ms. DuBois has offered regarding the funds at issue, nor does it claim that Ms. DuBois is not dissipating the funds at issue.

Based on the foregoing, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 107] is hereby **APPROVED**;
2. Ms. Dubois’ Objection to Report and Recommendation [DE 110] is **OVERRULED**;
3. The United States’ Second Application [DE 100] is hereby **GRANTED**;
4. The Court will separately enter the requested Amended Writ of Attachment and Amended Writ of Garnishment [DE 100-3, DE 112-2];

5. The Sealed Writ of Attachment [DE 88] is hereby **QUASHED**;
6. The Clerk of Court is **DIRECTED** to **UNSEAL** the R&R issued on November 14, 2023 [DE 85], as well as the other currently sealed docket entries in this case [DE's 83, 86, 87, 88, 89, 97, 99], in light of the Government's disclosure of sealed filings to Defendants.
7. The Clerk of Court is **DIRECTED** to issue the requested Clerk's Notice [DE 100-5].

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 27th day of December, 2023.



WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:  
Magistrate Judge McCabe  
Counsel of Record